

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

THE MARTEC GROUP, INC.,

Plaintiff,

CASE NO. 1:09cv1119

v.

HON. ROBERT J. JONKER

MICHAEL A. McCRARY and
PINE RIVER CONSULTING, LLC,

Defendants.

ORDER TO SHOW CAUSE

Plaintiff filed its complaint on December 11, 2009. The complaint alleges that this Court has jurisdiction under 28 U.S.C. § 1332. If a plaintiff alleges that a court has diversity jurisdiction, the plaintiff must state all parties' citizenship so that the court may confirm the existence of complete diversity. *Vaughn v. Holiday Inn Cleveland Coliseum*, 66 F. App'x 249, 250 (6th Cir. 2003) (citing *Chemical Leaman Tank Lines, Inc. v. Aetna Cas. & Sur. Co.*, 177 F.3d 210, 222 n.13 (3d Cir. 1999)). The citizenship of a corporation is both its place of incorporation and its principal place of business. 28 U.S.C. § 1332(c)(1). The citizenship of a limited liability company or other unincorporated entity is the citizenship of each of its members. *Carden v. Arkoma Assocs.*, 494 U.S. 185, 189 (1990); *Homfeld II, LLC v. Comair Holdings, Inc.*, 53 F. App'x 731, 732 (6th Cir. 2002) (citing *Cosgrove v. Bartolotta*, 150 F.3d 729, 731 (7th Cir. 1998)); *Int'l Flavors & Textures, LLC v. Gardner*, 966 F. Supp. 552, 554–55 (W.D. Mich. 1997)). Plaintiff's complaint does not allege the citizenship of Defendant Pine River Consulting, LLC, consistent with these rules. As a result, the Court's jurisdiction is called into question.

ACCORDINGLY, IT IS ORDERED that Plaintiff show cause by **December 28, 2009**, as to why the Court should not dismiss the case for lack of subject matter jurisdiction. In the meantime, all normal rules and procedures remain in place, including, if Defendant is served, that it must file and serve a timely answer or other appropriate response to the Complaint.

Dated: December 17, 2009

/s/ Robert J. Jonker
ROBERT J. JONKER
UNITED STATES DISTRICT JUDGE